Title: Horacio Alvarado, Petitioner No. 89-6985-CFY Status: DECIDED United States Court: United States Court of Appeals Docketed: for the Second Circuit March 19, 1990 Counsel for petitioner: Clott, Abraham L. Counsel for respondent: Solicitor General Proceedings and Orders Entry Date Note Mar 19 1990 G Petition for writ of certiorari and motion for leave to proceed in forma pauperis filed. Supplemental brief of petitioner Horacio Alvarado filed. Apr 5 1990 Order extending time to file response to petition until Apr 18 1990 5 May 19, 1990. Brief of respondent United States in opposition filed. 6 May 21 1990 DISTRIBUTED. June 7, 1990 May 23 1990 7 8 May 25 1990 X Reply brief of petitioner Horacio Alvarado filed. REDISTRIBUTED. June 14, 1990 10 Jun 8 1990 11 Jun 11 1990 X Supplemental brief of petitioner Horacio Alvarado filed.

REDISTRIBUTED. June 21, 1990

Petition GRANTED. Judgment VACATED and case REMANDED for

further consideration in light of the position asserted by the Solicitor General in his brief for the United States filed May 21, 1990. Dissenting opinion by The Chief Justice with whom Justice O'Connor, Justice Scalia

and Justice Kennedy join. Opinion per curiam.

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